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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,043	03/25/2004	Jarmo Saaski	187-74	5787
23869	7590	09/07/2006	EXAMINER	
HOFFMANN & BARON, LLP 6900 JERICHO TURNPIKE SYOSSET, NY 11791			PHAN, THANH S	
			ART UNIT	PAPER NUMBER
			2841	
DATE MAILED: 09/07/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/809,043

Applicant(s)

SAASKI ET AL.

Examiner

Thanh S. Phan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10 rejected under 35 U.S.C. 102(b) as being anticipated by Changnoux [US 6,176,612].

Regarding claims 1 and 10, Changnoux discloses a portable, wrist-worn, personal electronic device [a watch] comprising:
a case [not explicitly numbered] including a component space [space in middle part 2 for holding watch internal components], the case comprising a front side and, on the opposite side of the case, a reverse side [the sides are not explicitly numbered], a wristband structure [wristlet 1] for wrist attachment of the case, there being two attachment points between the case and the wristband structure on different edges of the case [figures 4-6], the wristband structure comprising a front side and, on the opposite side of the wristband structure, a reverse side [the sides are not explicitly numbered], at least one of the front side and the reverse side of the wristband structure being in contact with a user's wrist when the device is worn; and an attachment arrangement at both attachment points for attaching the case and the wristband structure to one another, each attachment arrangement comprising a positioning structure [4a and 4d] for mutual positioning of the case and the wristband structure and

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a locking arrangement [see figures 4-6] for interlocking the case and the wristband structure, wherein for enabling attachment of the wristband to the case from the front side of the case with the reverse side of the wristband structure ahead, each attachment arrangement has a positioning structure that comprises positioning means [2b and 2c] locating in the case wall and extending in the direction between the front side and the reverse side of the case, and as counterparts of the positioning means belonging to the case the positioning structure comprises positioning counterparts [4b and 4c] on the reverse side of the wristband structure, the direction of which positioning counterparts corresponds to that of the positioning means belonging to the case structure, and that in each attachment arrangement the locking structure comprises, on the reverse side of the wristband, a locking projection structure [4a and 4d] that is an integral pad of the wristband, and as a counterpart of said locking projection structure the case comprises a locking counterpart [2a and 2d] to prevent the wristband from becoming apart from the case.

Regarding claim 2, Changnoux discloses wherein the locking projection structure [4a and 4d] on the reverse side of the wristband structure extends in the same direction as the positioning counterparts [4b and 4c] on the reverse side of the wristband.

Regarding claim 3, Changnoux discloses wherein the locking counterpart comprised by the case and serving as a counterpart of the locking projection structure comprised by the wristband comprises a locking projection space [grooves in 2a and 2d as best illustrated in figures 1 and 3] delimited by the case wall material, to which space the locking projection structure extends.

Regarding claim 4, Changnoux discloses wherein the locking counterpart [2a and 2d] comprised by the case comprises a locking means [2e] that is transverse to the locking projection space [grooves in 2a and 2d] for locking in place the locking projection structure [4a and 4d] fitted into the locking projection space [grooves in 2a and 2d] by means of the locking means comprised by the locking projection structure.

Regarding claim 5, Changnoux discloses wherein the locking projection structure [4a and 4d] comprised by the wristband is a strainable stem structure, which, when strained, can be fitted into the locking projection space of the locking counterpart comprised by the case [figure 6].

Regarding claim 6, Changnoux discloses wherein the locking projection space, delimited by the case wall and comprised by the locking counterpart of the case, for the locking projection structure of the wristband extends in the same direction as the positioning means of the case [best illustrated in figures 1, 2 and 6].

Regarding claim 7, Changnoux discloses wherein the positioning means [2b and 2c] belonging to the case structure and extending in the direction between the front and the reverse of the case are recess-like spaces delimited by the case wall [figures 1 and 2].

Regarding claim 8, Changnoux discloses wherein the positioning counterparts [4b and 4c] comprised by the wristband structure are stud-like pads.

Regarding claim 9, Changnoux discloses wherein there are at least two pairs of positioning means comprised by the case and positioning counterparts of the wristband at each mutual attachment point of the wristband structure and the case, and that these

pairs of positioning means/positioning counterparts are on different sides of the longitudinal median line of the device [figure 1; in the figure only one wristband is shown instead of two].

Response to Arguments

Applicant's arguments filed 06/21/06 have been fully considered but they are not persuasive. The applicant has amended claim 1 to highlight "at least one of the front side and the reverse side of the wristband structure being in contact with a user's wrist when the device is worn", and argues that Chagnoux fails to disclose such limitation. The examiner disagrees; as rejected above, Chagnoux discloses such limitations. It is understood by the examiner and teaches by Chagnoux that the device of is worn by being "strapped" on a user wrist, and by doing this, there must be a certain degree of contacting between the band(s) and the user's wrist. Applicant further argues that Chagnoux fails to teaches "positioning counterparts". The examiner disagrees; as discloses in the above rejections. Chagnoux is used to merely show that structures 4b&c are countered to those of 2b&c. Applicant has not claimed or examiner considered any specific structural requirements or design of the counterparts and/or other claimed structures limitations but means to so perform as claimed.

For the foregoing reasons, claims 1-10 continue to be anticipated by Chagnoux and its combinations. Accordingly, the examiner's rejection is upheld.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh S. Phan whose telephone number is 571-272-2109. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamand Cuneo can be reached on 571-272-1957. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

tsp



Handwritten signature and initials, likely representing the Patent Examiner, with the text "K. C. Cune" and "SP 2841" written below it.